



DOCKET NO.: USPTO-0050

07-03-

1645
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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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In Re Application of:

JUL 0 9 2003

Kuhner et al.

Confirmation No.: 9997

TECH CENTER 1600/2900

Application No.: 09/882,781

Group Art Unit: 1645

Filing Date: June 15, 2001

Examiner: Albert Mark Navarro

For: Chemically-Modified Peptides, Compositions, And Methods Of Production And Use

EXPRESS MAIL LABEL NO: EV251289352US
DATE OF DEPOSIT: July 2, 2003

EV251289352US

Mail Stop Sequence
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**RESPONSE TO NOTICE TO COMPLY WITH REQUIREMENTS
FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE
SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURE**

In response to the "Notice to Comply With Requirements for Patent Applications Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures" dated **June 3, 2003**, a response to which is due **July 3, 2003**, enclosed herewith is:

- ☒ Statement to Support Filing and Submission in Accordance with 37 CFR §§1.821 through 1.825;
- ☒ Substitute pages of the Sequence Listing;
- ☒ Substitute copy of the computer readable form of amended Sequence Listing;
- ☒ Amendment Directing Entry of Sequence Listing into Specification is attached
- ☒ Copy of Notice to Comply With Requirements for Patent Applications Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures;

☐

Other:

☐

Request is hereby made under 37 CFR § 1.136(a) to extend the time for response to the Notice to File Missing Parts of Application of _____ to and through _____, comprising an extension of the shortened period of _____ months:

	SMALL ENTITY		NOT SMALL ENTITY	
	RATE	FEE	RATE	FEE
<input type="checkbox"/> ONE MONTH EXTENSION OF TIME	\$55	\$	\$110	\$
<input type="checkbox"/> TWO MONTH EXTENSION OF TIME	\$205	\$	\$410	\$
<input type="checkbox"/> THREE MONTH EXTENSION OF TIME	\$465	\$	\$730	\$
<input type="checkbox"/> FOUR MONTH EXTENSION OF TIME	\$725	\$	\$1450	\$
<input type="checkbox"/> FIVE MONTH EXTENSION OF TIME	\$985	\$	\$1970	\$
TOTAL FEE DUE		\$0		\$0


Applicant(s) has/have not been notified that the requested extension will not be permitted. The present application is not involved in an interference declared pursuant to 37 CFR § 1.207.

Total fee required **\$0.00**

☒

The Commission is hereby authorized to charge payment of the above fees associated with this communication or credit any overpayment to Deposit Account No. 23-3050. This sheet is attached in duplicate.

Date: July 2, 2003


 Felicity E. Groth
 Registration No. 47,042

Woodcock Washburn LLP
 One Liberty Place - 46th Floor
 Philadelphia PA 19103
 Telephone: (215) 568-3100
 Facsimile: (215) 568-3439



UNITED STATES PATENT AND TRADEMARK OFFICE

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/882,781	06/15/2001	Carla H. Kuhner	HER-0050	9997

7590 06/03/2003
Patrick J. Farley, Ph.D.
WOODCOCK WASHBURN KURTZ
MACKIEWICZ & NORRIS LLP
One Liberty Place - 46th Floor
Philadelphia, PA 19103

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JUN 07 2003

Woodcock Washburn

EXAMINER

NAVARRO, ALBERT MARK

ART UNIT	PAPER NUMBER
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1645

DATE MAILED: 06/03/2003

18

Please find below and/or attached an Office communication concerning this application or proceeding.

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UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

DEA/FCE-1994

SERIAL NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO.



EXAMINER	
ART UNIT	PAPER NUMBER
	18

DATE MAILED:

Please find below a communication from the EXAMINER in charge of this application

Commissioner of Patents

This application contains sequence disclosures that are encompassed by the definitions for nucleotide and/or amino acid sequences set forth in 37 CFR 1.821(a)(1) and (a)(2). However, this application fails to comply with the requirements of 37 CFR 1.821 through 1.825 for the reason(s) set forth on the attached Notice To Comply With Requirements For Patent Applications Containing Nucleotide Sequence And/Or Amino Acid Sequence Disclosures.

In particular, page 72 contains multiple amino acid sequences without corresponding SEQ ID tags. Applicants are reminded that all amino acid sequences of 4 amino acids or greater are required to have a SEQ ID NO tag.

Applicant is given ONE MONTH, or THIRTY DAYS, whichever is longer, from the mailing date of this letter within which to comply with the sequence rules, 37 CFR 1.821 - 1.825. Failure to comply with these requirements will result in ABANDONMENT of the application under 37 CFR 1.821(g). Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a). In no case may an applicant extend the period for reply beyond the SIX MONTH statutory period. Direct the reply to the undersigned. Applicant is requested to return a copy of the attached

Notice to Comply with reply.



Mark Navarro

Primary Examiner

May 29, 2003



Application No.: 09/882,781

**NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING
NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES**

The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 C.F.R. 1.821 - 1.825 for the following reason(s)

- ☒ 1. This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to these regulations, published at 1114 OG 29, May 15, 1990 and at 55 FR 18230, May 1, 1990.
- ☐ 2. This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 C.F.R. 1.821(c).
- ☐ 3. A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 C.F.R. 1.821(e).
- ☐ 4. A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 C.F.R. 1.822 and/or 1.823, as indicated on the attached copy of the marked -up "Raw Sequence Listing."
- ☐ 5. The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A Substitute computer readable form must be submitted as required by 37 C.F.R. 1.825(d).
- ☐ 6. The paper copy of the "Sequence Listing" is not the same as the computer readable form of the "Sequence Listing" as required by 37 C.F.R. 1.821(e).
- ☒ 7. Other: SEE ATTACHED

Applicant Must Provide:

- ☒ An initial or substitute computer readable form (CRF) copy of the "Sequence Listing".
- ☒ An initial or substitute paper copy of the "Sequence Listing", as well as an amendment directing its entry into the specification.
- ☒ A statement that the content of the paper and computer readable copies are the same and, where applicable, include no new matter, as required by 37 C.F.R. 1.821(e) or 1.821(f) or 1.821(g) or 1.825(b) or 1.825(d).

For questions regarding compliance to these requirements, please contact:

For Rules Interpretation, call (703) 308-4216

For CRF Submission Help, call (703) 308-4212

For PatentIn software help, call (703) 308-6856

PLEASE RETURN A COPY OF THIS NOTICE WITH YOUR RESPONSE